

HON'BLE SRI JUSTICE L. NARASIMHA REDDY

WRIT PETITION NO. 18748 OF 2005

DATED:19.09.2005.

BETWEEN:

Gajjala Siva Reddy, S/o.G.C.Rami Reddy,
Aged about 25 years, R/o.Thallakolva Village,
Kurimamidi Post, Gandlapenta Mandal,
Kadiri Taluk, Anantapur District.

PETITIONER.....

AND

1.Sri Krishnadevaraya University,
Anantapur, rep. by its Registrar.
And two others.

RESPONDENTS.....

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ORDER

The petitioner studied B.A. from Dr.B.R. Ambedkar Open University with Political Science, Public Administration and Telugu as main subjects. He appeared for entrance examination-2005 conducted by Sri Krishnadevaraya University for admission into I year of M.A. (English). He secured fairly meritorious rank in the entrance examination. However, he was denied admission on the ground that he

does not fulfill the eligibility criteria prescribed under Rule 6 of the Admission Rules. He challenges Rule 6 (c) of the Admission Rules insofar as it requires that candidate must have studied English as part-I for at least a maximum of 200 marks spread over two years.

Sri Bharath Reddy, learned counsel for the petitioner, submits that the condition stipulated in Rule 6 (c) was not approved by the academic senate. His further contention is that the B.A. degree course conducted by Dr.B.R. Ambedkar Open University has its own specifications and the petitioner cannot be denied admission on the ground that he does not fulfill certain conditions. He further contends that the condition in question is without any basis or relevance.

Learned Standing Counsel for the first respondent University, on the other hand, submits that the Rule so incorporated is only on the strength on approval accorded by the academic senate. He also contends that the course, being the one of post graduation in language, necessary foundation must exist for a candidate at graduation level.

The petitioner obtained degree in B.A. from Dr.B.R. Ambedkar Open University. In the first year, he studied English and Telugu, which are allocated 100 marks each. In second and third years, he studied the subject Telugu with 200 marks for each year, in addition to the subjects of Political Science and Public Administration for same number of marks. Rule 6 (c), which is challenged in this Writ Petition reads as under:

“c. Candidates seeking admission to M.A. English/Telugu must have studied English/Telugu either under Part-I or Part-II. They should have secured 40% of marks in English/Telugu under Part-I or Part-II. Candidates for Admission to M.A. (English/Telugu) should have done part-I (English/Telugu) for at least a maximum of 200 marks spread over two years.”

The controversy is much about the last portion of the Rule, namely, that the candidate must have studied in part-I for at least a maximum of 200 marks spread over two years. Therefore, the twin requirements are that the evaluation must be for at least maximum of 200 marks and the study must be spread over two years. These conditions cannot be said to be irrelevant, having regard to the fact that the Course is of a specialization in the language. Unless there exists necessary foundation at graduation level, the student cannot be expected to acquire the specialization at post graduation level.

Study of a language in the first year, is almost cursory. An element of specialization would come into existence if only it is studied as one of the subjects in the subsequent years. In fact, the petitioner did such a study in Telugu. Apart from studying it as a language, he took it as an optional in both second and third years. Such is not the case with respect to English language. He studied it as language during the first year for a paper of 100 marks. Therefore, no exception can be taken to English. It is well settled principle of law that the Courts would be reluctant to interfere with the standards prescribed by the academic bodies.

Under those circumstances, the Writ Petition is dismissed. There shall be no order as to costs.

_____ L. NARASIMHA REDDY. J.

19th SEPTEMBER, 2005.

Tsr.